

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IRMA ALLEN and
BARTLEY M. MULLEN, JR., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

OLLIE’S BARGAIN OUTLET, INC.

Defendant.

Case No. 2:19-cv-00281-NBF

PLAINTIFFS’ MOTION TO FILE UNDER SEAL

Plaintiffs, Irma Allen and Bartley M. Mullen, Jr., pursuant to ¶9 of the Stipulated Protective Order entered in this case (ECF. No. 23) and the Local Rules of the Western District of Pennsylvania, hereby seek leave to file an unredacted version of their memorandum in support of their motion for class certification under seal, as well as sealed versions of five exhibits thereto. In support of this motion, Plaintiff states:

1. The Court entered the parties’ Stipulated Protective Order (the “Order”) in this matter (ECF. No. 23) on May 24, 2019. The Order enables the parties to mark discovery materials “Confidential” if those materials meet certain criteria that would permit them to be withheld from public disclosure.

2. The Order further requires the parties to seek leave to file any materials designated as “Confidential” under seal in accordance with Local Rule 26.2. (ECF. No. 23, ¶9).

3. Contemporaneously filed with this motion, Plaintiffs are filing their motion for class certification and supporting memorandum. The memorandum contains references to and

directly cites several documents that Defendant has designated as “Confidential” under the Order in whole or in part, including:

- a. Defendant’s 30(b)(6) deposition;
- b. Defendant’s Visual Store Standards;
- c. Defendant’s internal records regarding people with mobility disabilities regularly encountering inaccessible conditions within Defendant’s stores;
- d. Defendant’s Daily Facilities Maintenance Scan form;
- e. Defendant’s Daily Facilities Safety Scan form;
- f. Defendant’s Monthly Safety Inspection form;
- g. Still images from Defendant’s surveillance footage.

5. Because Defendant designated the above materials “Confidential” under the Order, Plaintiffs’ seek to provisionally these materials under seal.

6. Accordingly, Plaintiffs hereby request leave to file under seal an unredacted version of their class certification memorandum and Exhibits 3, 6, 7, 9, 10, 11, and 15 of the memorandum.

Dated: May 4, 2020

Respectfully Submitted,

/s/ R. Bruce Carlson
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was electronically filed with the Court on May 4, 2020. All counsel of record will receive notice via the Court's CM/ECF system.

/s/ R. Bruce Carlson
R. Bruce Carlson